

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT McCULLOUGH, JR. and DR.) Case No.: 3:18-cv-02864
ZHONGXI ZHENG, derivatively)
on behalf of MEDITE CANCER)
DIAGNOSTICS, INC.,)
Plaintiffs,)
v.)
WILLIAM AUSTIN LEWIS IV,)
STEPHEN VON RUMP, DR. JOHN)
ABELES, JOEL KANTER, GREGORY)
FORTUNOFF and LEWIS)
OPPORTUNITY FUND)
L.P.,)
Defendants,)
and)
MEDITE CANCER DIAGNOSTICS,)
INC.,)
Nominal Defendant)
STIPULATION AND [PROPOSED])
ORDER TO TRANSFER VENUE)
TO THE DISTRICT COURT FOR)
THE DISTRICT OF DELAWARE)

Plaintiffs Robert McCullough, Jr. and Dr. Zhongxi Zheng (“Plaintiffs”) and Defendants Medite Cancer Diagnostics, Inc., Lewis Opportunity Fund, L.P., William Austin Lewis IV, Stephen Von Rump, Dr. John Abeles, Joel Kanter and Gregory Fortunoff (“Defendants,” collectively, the “Parties”) submit this Stipulation and Proposed Order.

RECITALS

1. On October 23, 2018, Defendants filed a Motion to Dismiss the Plaintiffs' Complaint.

2. Counsel for the Parties have met and conferred, and agree to Transfer Venue to the District Court for the District of Delaware

STIPULATION AND PROPOSED ORDER

1. IT IS HEREBY STIPULATED by and between the Parties that the Court shall Transfer Venue to the District Court for the District of Delaware, and vacate all pending dates and hearings currently on calendar in the Northern District of California.

IT IS SO STIPULATED AND AGREED, THROUGH COUNSEL OF RECORD.

DATED: November 16, 2018 BALDWIN MADER LAW GROUP

By: /s/ Christopher Mader
PATRICK BALDWIN
CHRISTOPHER P. MADER
Attorneys for Plaintiffs

DATED: November 16, 2018 OLSHAN FROME WOLOSKY LLP

By: /s/ Richard Nicholson
John G. Moon, Esq.
Richard W. Nicholson, Jr., Esq.
*Attorneys for Defendant Medite Cancer Diagnostics,
Inc.*

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1 DATED: November 16, 2018

MURPHY, PEARSON, BRADLEY & FEENEY

3 By: /s/ Jason Fellner

4 Jason E. Fellner, Esq.

5 Alston L. Lew, Esq.

6 Attorneys for Defendant Medite Cancer Diagnostics,
Inc.

7 DATED: November 16, 2018

MILLSTEIN & ASSOCIATES

8 By: /s/ Gerald Richelson

9 David J. Millstein, Esq.

10 Gerald S. Richelson, Esq.

11 Attorneys for Defendants Lewis Opportunity Fund,
L.P., William Austin Lewis IV, Stephen von Rump,
Dr. John Abeles, Joel Kanter and Gregory Fortunoff

12 IT IS SO ORDERED.

13 DATED: 11/19/18

14 By: 
Judge of the District Court